

Notice of Allowability

Application No.

09/598,290

Examiner

Christopher Onuaku

Applicant(s)

MIYAGAWA, TAMOTSU

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed 4/27/05.
2. ☒ The allowed claim(s) is/are 1-7, 9, 11 & 12 (now renumbered 1-7, 9, 8 & 10, respectively).
3. ☒ The drawings filed on 01 April 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-7,9,11&12 are allowable over the prior art of record.
2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to a recording medium reproducing apparatus for reproducing a recording medium in which video and audio data is recorded, including a recording medium reproducing apparatus capable of selecting and reproducing audio and subpicture (subtitles or caption).

The closest references Mimura et al (US 5,963,704) disclose a recording medium such as an optical disk for recording data corresponding to different objects, different types of compressed dynamic images and voice data, including an apparatus for recording/reproducing data to and from the recording medium, a method for reproducing the data from the recording, and Kikuchi et al (US 6,577,812) teach a digital information recording/playback system using a digital information recording medium having a limited storage amount, including a digital video recorder for recording and playing back information such as digital moving pictures and the like, which are compressed by MPEG.

However, Mimura et al and Kikuchi et al fail to explicitly disclose a reproducing apparatus for a recording medium including a content to be reproduced and a plurality of selectable data contents which are related to an identical reproduction time of the reproduced content, where the apparatus comprises a discriminator for discriminating the area contents stored in the recording medium, a parameter selector for selecting at least one of the setting parameters stored in the memory and associated with the discriminated data contents when the associated setting parameter is stored in the memory and for selecting the standard parameter when the associated setting parameter is not stored in the memory, and a content selector for selecting at least one of the data contents stored in the recording medium based on the selected setting parameter or the standard parameter.

Regarding claim 9, the invention relates to a recording medium reproducing apparatus for reproducing a recording medium in which video and audio data is recorded, including a recording medium reproducing apparatus capable of selecting and reproducing audio and subpicture (subtitles or caption).

The closest references Mimura et al (US 5,963,704) disclose a recording medium such as an optical disk for recording data corresponding to different objects, different types of compressed dynamic images and voice data, including an apparatus for recording/reproducing data to and from the recording medium, a method for reproducing the data from the recording, and Kikuchi et al (US 6,577,812) teach a digital information recording/playback system using a digital information recording medium having a limited

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storage amount, including a digital video recorder for recording and playing back information such as digital moving pictures and the like, which are compressed by MPEG.

However, Mimura et al and Kikuchi et al fail to explicitly disclose a method of reproducing a content stored in a recording medium together with a plurality of selectable data contents which are related to an identical reproduction time of the reproduced content, where the method comprises the steps of discriminating the contents stored in the recording medium, judging whether a setting parameter associated with the discriminated data contents is stored in the memory, selecting the associated setting parameter when it is stored in the memory, selecting the standard parameter when the associated setting parameter is not stored in the memory, and selecting at least one of the data contents stored in the recording medium based on the selected setting parameter.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Onuaku whose telephone number is 571-272-7379. The examiner can normally be reached on M-F.

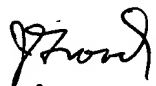
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COO

7/8/05


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616